

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

FRANCIS PICKAIL,

Plaintiff,

v.

UNUM LIFE INSURANCE COMPANY  
OF AMERICA, et al.,

Defendants.

Civil Action No. 05-32(WHW)

**SCHEDULING ORDER**

IT IS on this 19<sup>th</sup> day of September 2005,

**ORDERED THAT:**

**I. DISCOVERY AND MOTION PRACTICE**

1. Discovery shall remain open through **November 1, 2005**. No discovery is to be issued or engaged in beyond that date, except upon application and for good cause shown. The parties shall be limited to 25 interrogatories, including subparts, and 10 depositions of fact witnesses.
2. Objections to questions posed at depositions shall not be made other than as to lack of foundation, form or privilege. *See Fed. R. Civ. P. 32(d)*. Instructions not to answer shall not be given unless a privilege is implicated.
3. Any discovery dispute shall be brought to the Court's attention in the first instance by letter only after the parties' good faith attempt to resolve the dispute has failed. *See L. Civ. R. 37.1*.
4. Each party shall designate an electronic information representative knowledgeable about the respective party's automation system.
5. **No discovery motion or motion for sanctions for failure to provide discovery shall be made absent leave of Court.**
6. All dispositive motions shall comply with *L. Civ. R. 7.1* and shall be filed not later than **December 1, 2005**.

## II. FINAL PRETRIAL CONFERENCE

7. A Final Pretrial Conference shall be conducted pursuant to *Fed. R. Civ. P.* 16 on **February 8, 2006**.
8. All counsel shall assemble at the office of counsel for plaintiff, not later than 10 days prior to the Final Pretrial Conference, to prepare the Final Pretrial Order in the form and content required by the Court. Counsel for plaintiff shall prepare the Final Pretrial Order and shall submit it to all other counsel for approval.
9. The original Final Pretrial Order (**Joint Submission**) shall be delivered to Chambers not later than **3 days** before the Final Pretrial Conference.
10. **All counsel are responsible for the timely submission of the Final Pretrial Order.**

## III. MISCELLANEOUS

11. The Court will schedule conferences as required, either *sua sponte* or at the request of a party. Counsel shall submit status reports, including a statement of the progress of discovery, anticipated discovery disputes, expected motion practices and settlement positions, at least **one day** prior to each conference.
12. All dates herein are scheduled with the assistance of counsel. Thus, no extensions shall be granted absent good cause.
13. Failure to appear at conferences or to comply with this Order, may result in the imposition of sanctions. *See Fed. R. Civ. P.* 16.
14. A copy of every pleading, document or written communication with the Court shall be served on all parties to the action. Any said communication that fails to contain a certification of such service may be disregarded by the Court.

**S/SUSAN D. WIGENTON**  
UNITED STATES MAGISTRATE JUDGE

Original: Clerk of the Court  
cc: District Judge  
Parties  
File